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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 JERRY BUNNAO RACCA,)
09)
Petitioner,) CASE NO. C11-1235-RSM
10) (CR06-106-RSM)
v.)
11 UNITED STATES OF AMERICA,) ORDER DENYING MOTION UNDER
12) 28 U.S.C. § 2255
Respondent.)
_____)

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14 The Court, having reviewed petitioner's motion under 28 U.S.C. § 2255, the briefing of
15 the parties, the Report and Recommendation of Mary Alice Theiler, United States Magistrate
16 Judge, and the remaining record, does hereby find and ORDER:

- 17 (1) The Court adopts the Report and Recommendation;
18 (2) Petitioner's motion under § 2255 (Dkt. No. 1) is DENIED and this action is
19 DISMISSED with prejudice;
20 (3) In accordance with Rule 11 of the Rules Governing Section 2255 Proceedings
21 for the United States District Courts, a certificate of appealability is GRANTED; and

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01 (4) The Clerk shall send copies of this Order to petitioner, to counsel for the
02 government, and to Judge Theiler.

03 DATED this 16 day of April 2012.

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07 RICARDO S. MARTINEZ
08 UNITED STATES DISTRICT JUDGE
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